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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 MILO WALLACE,
12 Petitioner,
13 v.
14 UNKNOWN,
15 Respondent.
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No. 2:21-cv-0927 DB P

ORDER

17 Petitioner, a county prisoner proceeding pro se, has filed an application for a writ of
18 habeas corpus pursuant to 28 U.S.C. § 2254. The court requires all petitions for writ of habeas
19 corpus be filed on the proper form which is provided by this court. Moreover, the court may limit
20 its review of the petition for relief to the information on the form only and need not consider any
21 memoranda or attachments to the petition. See Rule 2(c), Rules Governing § 2254 Cases.

22 Petitioner is hereby notified that in order for this court to review his application, he must
23 refile his petition on the proper form. Furthermore, although petitioner may submit a separate
24 memorandum to support his petition for relief, the court's application form must contain all
25 relevant claims, and must provide the court with all necessary information.

26 Additionally, Petitioner has not filed an in forma pauperis affidavit or paid the required
27 filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity

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1 to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or
2 submit the appropriate filing fee.

3 In accordance with the above, IT IS HEREBY ORDERED that:

- 4 1. Petitioner's application for writ of habeas corpus is dismissed with leave to amend
5 within thirty days from the date of this order;
- 6 2. Any amended petition must be filed on the form employed by this court and must state
7 all claims and prayers for relief on the form. It must bear the case number assigned to
8 this action and must bear the title "Amended Petition";
- 9 3. Petitioner shall also submit, within thirty days from the date of this order, an affidavit
10 in support of his request to proceed in forma pauperis or the appropriate filing fee;
11 petitioner's failure to comply with this order will result in a recommendation that this
12 action be dismissed; and
- 13 4. The Clerk of the Court is directed to send petitioner both the form for habeas corpus
14 application and the in forma pauperis form used by this district.

15 Dated: June 1, 2021

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18 DEBORAH BARNES
19 UNITED STATES MAGISTRATE JUDGE
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28 DB:14/Order/Prisoner/Habeas/R/wall0927.101a+115